

August 22, 2007

## **FINDING OF NO SIGNIFICANT IMPACT**

### **TO ALL INTERESTED GOVERNMENT AGENCIES AND PUBLIC GROUPS:**

In accordance with the environmental review guidelines of the Council on Environmental Quality found at 40 Code of Federal Regulations (CFR) Part 1500, and with the use of the implementing environmental review procedures of the United States Environmental Protection Agency (EPA) found at 40 CFR Part 6 entitled "Procedures for Implementing the Requirements of the Council on Environmental Quality on the National Environmental Policy Act" as guidance, the EPA has performed an environmental review of the following proposed action:

Wastewater Construction Project  
proposed by the Village of Los Lunas  
located in Valencia County, New Mexico

EPA Project Number: XP-96619001-0

Estimated EPA Share: \$ 2,327,000  
Estimated State Loan: \$ 16,000,000  
Estimated Local Share: \$ 1,903,909

The Fiscal Year 2003, 2004, and 2005 Appropriations Acts for the EPA included special Congressional funding for water and wastewater construction projects. The Village of Los Lunas (Village) was selected to receive funding support through these special appropriations for the construction of wastewater system improvements to serve the citizens in the area. The Village is proposing to construct a new wastewater interceptor system consisting of approximately 23,990 linear feet of gravity collection and force main lines from New Mexico State Highway 6 to the existing wastewater treatment plant, and two smaller segments of collection line to include a new lift station to serve the northern portion of the Village. These lines will feed into an existing line and lift station, and then eventually into the larger proposed interceptor. The project planning area is surrounded by private residences, lands owned by the Middle Rio Grande Conservancy District (MRGCD), a railroad, and areas used for agriculture. All construction activities will occur within the boundaries of the Village or the rights-of-way owned by the MRGCD.

The Village has experienced a rapid population growth in recent years, and has become a bedroom community for Albuquerque due to its close proximity. This rapid population growth has caused the Village's existing wastewater collection and treatment systems to operate above peak capacity at numerous times during the year. Since the population of both the Village and the surrounding area is expected to continue to increase in future years, the Village is planning for and proposing to construct an expansion of the existing wastewater collection system into

areas of high growth to meet both current and future projected wastewater needs of the citizens living in the area. The Village will utilize the Congressional funding support, along with a loan from the state and their own local funds, to finance the construction of the proposed project.

The environmental review process, which is documented by the enclosed Environmental Assessment, indicates that no potential significant adverse environmental impacts are anticipated from the proposed action. The project individually, cumulatively over time, or in conjunction with other actions is not expected to have a significant adverse effect on the quality of the environment. On that basis, I have determined that the project is not a major federal action significantly affecting the quality of the human environment, and that preparation of an Environmental Impact Statement is not necessary. My preliminary decision is based upon the enclosed Environmental Assessment, a careful review of the Environmental Information Document prepared for the project, the results of the public participation process, and other supporting data which are on file in the office listed below and available for public review upon request. Therefore, I am issuing this preliminary Finding of No Significant Impact pertaining to the project.

Comments regarding my preliminary decision may be submitted for consideration to the attention of the Office of Planning and Coordination (6EN-XP), Environmental Protection Agency, 1445 Ross Avenue, Dallas, Texas 75202-2733. After evaluating any comments received, the EPA will make a final decision. No administrative action will be taken on this preliminary decision for at least 30 calendar days after release of this Finding of No Significant Impact. The preliminary decision and finding will then become final after the 30-day comment period expires if no new significant information is provided to alter this finding.

Responsible Official,

John Blevins  
Director  
Compliance Assurance and  
Enforcement Division

Enclosure

cc: Louis Hunning, Mayor  
Village of Los Lunas

Ron Curry, Secretary  
New Mexico Environment Department

**ENVIRONMENTAL ASSESSMENT**  
**WASTEWATER CONSTRUCTION PROJECT**  
**proposed by the VILLAGE of LOS LUNAS**  
**located in VALENCIA COUNTY, NEW MEXICO**

**BACKGROUND**

The Village of Los Lunas (Village) is located in the north central portion of the state approximately 20 miles south of Albuquerque. The Village has become a bedroom community due to its proximity to Albuquerque, and has experienced rapid population growth in recent years. This rapid population growth has caused the Village's existing wastewater collection and treatment systems to operate above peak capacity at numerous times during the year. Since the population of both the Village and the surrounding area is expected to continue to increase in future years, the Village is planning for and proposing to construct an expansion of the existing wastewater collection system into areas of high growth to meet both current and future projected wastewater needs of the citizens living in the area. The Village is proposing the construction of a new wastewater interceptor system consisting of approximately 23,990 linear feet of gravity collection and force main lines from New Mexico State Highway 6 to the existing wastewater treatment plant, and two smaller segments of collection line to include a new lift station to serve the northern portions of the Village.

Due to the increasing population in the area, the Village's existing wastewater collection and treatment systems often operate above the design peak capacity. This situation has weakened the wastewater systems, and in time could cause fractures in collection lines allowing wastewater to leach into the ground water. Failure to alleviate these overflows or replace overloaded collection lines could allow raw wastewater to continue degradation of the ground water in the area, and allow the wastewater to overflow into roads, ditches, homes and businesses or pool in low lying areas causing a public health hazard. The Village will utilize the Congressional funding support, a loan from the state, and their own local funds to finance the construction of the proposed project. The project planning area is shown on the maps enclosed as Figures 1, 2a, and 2b.

The proposed project is considered to be a federal action requiring compliance with the National Environmental Policy Act (NEPA). In accordance with the environmental review requirements of the Council on Environmental Quality found at 40 Code of Federal Regulations (CFR) Part 1500, and with the use of the Environmental Protection Agency's (EPA) implementing regulations found at 40 CFR Part 6 entitled "Procedures for Implementing the Requirements of the Council on Environmental Quality on the National Environmental Policy Act" as guidance, the EPA is preparing this Environmental Assessment to assist in determining the environmental impacts of the proposed action, and in evaluating whether an Environmental Impact Statement or a Finding of No Significant Impact will be prepared for the proposed project.

## **PROJECT DESCRIPTION**

\_\_\_\_\_The Village has proposed the construction and installation of the following components to handle the current and projected wastewater needs of the increasing population:

1. Interceptor lines approximately 23,990 linear feet in length;
2. Two smaller segments of collection line; and
3. Lift station located in the smaller segments of collection line.

The proposed improvements will provide a safe and dependable wastewater collection and treatment system to serve the wastewater needs of the Village. The proposed improvements will relieve the excessive burden on the existing wastewater infrastructure, which will prolong the useful mechanical and hydraulic capability of the systems. The new structures will also provide new and improved wastewater service to areas of the Village experiencing heavy growth. The project planning area is surrounded by private residences, lands owned by the Middle Rio Grande Conservancy District (MRGCD) and the Burlington Northern Santa Fe Railroad, and areas used for agriculture. All construction activities will occur within the boundaries of the Village or the rights-of-way owned by the MRGCD. The proposed project will not require the purchase of new land or displace any existing citizen, home or business.

## **ALTERNATIVES TO THE PROPOSED PROJECT**

The funding recipient evaluated and considered a range of various alternatives to address the infrastructure needs of the area. Important factors influencing the evaluation of the processes and their recommended solutions include environmental acceptability, overall costs, availability of land for the intended uses, maximum reuse of existing facilities when applicable, operation and maintenance costs, system reliability, accommodation of future expansion needs, and public acceptance. A complete description of the alternatives is provided in the Environmental Information Document provided by the funding recipient for the project.

## **ENVIRONMENTAL SETTING**

The Village is located along the Rio Grande Valley approximately two miles west of the Rio Grande, which flows north to south in the area. The proposed project area is situated in the Mexican Highland Section of the Basin and Range physiographic province. The area is within the Rio Grande graben, a trough approximately 35 miles wide bordered by the Manzano Mountains to the east and the Lucero uplift to the west. Los Lunas Mountain, also known locally as El Cerro de Los Lunas, is located immediately west of the project area. The elevation of the project area is between 4,880 and 4,960 feet above sea level.

The Rio Grande graben contains several thousand feet of poorly consolidated gravels of the Santa Fe group dating from the Mid Miocene to the Pleistocene. There is also some Quaternary lava and tuff immediately west of Interstate Highway 25 and south of New Mexico

State Highway 6. The floodplain in the area is comprised of alluvium recently deposited by the Rio Grande. A series of terraces is located on both sides of the river and were formed by successive down cutting. The project area lies on the slope of a terrace west of the river that runs down to the floodplain. The highest elevation on the west side of the project area is about 4,960 feet and the terrain slopes down to an elevation of about 4,880 feet on the east side of the project area along the Belen High Line Canal. The depth to ground water in the area is less than ten feet.

The project area is arid, with a continental climate characterized by light and variable total precipitation, large diurnal and moderate annual temperature ranges, low relative humidity, and abundant sunshine. Fall, winter, and spring are the dry seasons, with moisture from the Pacific Ocean removed as easterly air currents pass over mountains west of New Mexico. Summer is the rainy season when moisture enters the state via southeastern currents originating in the Gulf of Mexico. Summer rain showers are caused by strong surface heating and are usually brief, but often heavy. Average annual precipitation ranges from 7 to 10 inches. During the year, the average annual air temperature ranges from 57 to 60 degrees Fahrenheit.

The Village is the county seat for Valencia County, which ranks fifth in median household income in the state at \$31,900 annually. This income level compares to the rankings of Los Alamos County as first at \$67,200, Sandoval County as second at \$42,300, Santa Fe County as third at \$37,400, Bernalillo County as fourth at \$34,000; and Valencia County as fifth at \$31,900. Data from the U.S. Bureau of the Census show that the Village had a year 2006 population of approximately 11,803 people. Of that total, 59 % are of Hispanic or Latino descent, which is typical for much of the state.

## **IMPACTS OF THE PROPOSED PROJECT**

The proposed project was analyzed to identify potential short-term, long-term, and cumulative impacts on the environment. There are no anticipated significant adverse environmental impacts associated with the proposed action that cannot be reduced to acceptable levels as identified and discussed below.

1. Biological Resources Including Threatened and Endangered Species: Based upon coordination with the United States Fish and Wildlife Service and the New Mexico Department of Game and Fish, construction of the proposed project should not have significant adverse impacts to biological resources since protected animal and plant species, and their protected habitat, are not known to occur in the project area.

2. Cultural/Historic Resources: Based upon coordination with the State Historic Preservation Officer (SHPO), construction of the proposed project should not have significant adverse impacts to archaeological, historical, architectural, or cultural resources since these protected resources are not known to occur in the project area. If cultural materials are encountered during construction, work will stop immediately in the general area of the discovery, and the funding recipient will immediately notify the SHPO of the discovery. Any such resources discovered will be evaluated in accordance with the requirements of 36 CFR Part 800, and appropriate mitigation

measures developed and implemented, as needed, in consultation with the SHPO before construction in the area is allowed to continue.

3. Floodplain: Based upon coordination with the Federal Emergency Management Agency and the local Floodplain Administrator (FA), construction of the proposed project should not have significant adverse impacts to the floodplain since the project will not be located in this protected resource. The local FA has determined that no specific mitigation measures will be necessary; however, the funding recipient is responsible for continued coordination with the FA and must complete any subsequent permitting process prior to the initiation of actual construction activities.

4. Wetlands: Based upon coordination with the United States Army Corps of Engineers (COE), construction of the proposed project should not have significant adverse impacts to wetlands or jurisdictional waters of the United States since construction activities will not require the issuance of a project-specific permit under Section 404 of the Clean Water Act. The funding recipient is responsible for continued coordination with the COE and the New Mexico Environment Department, and must complete any subsequent permitting process prior to the initiation of actual construction activities.

In order to further protect the natural beneficial functions of the floodplain and wetlands, and to minimize the potential flood hazards to life and property, the construction funding is conditioned to read:

a. The recipient agrees not to collect or treat wastewater generated by new development in the floodplain or wetlands by the project facilities for a period of 50 years from the date of the environmental assessment related to this project. This restriction does not apply to development in the floodplain or wetlands which existed prior to that date;

b. The recipient agrees to adopt and enforce suitable ordinances and implementing procedures for effective local administration of this floodplain and wetlands service area restriction. On application of the recipient's governing body and after considering all relevant information on a proposed development's effects on the natural functions and values of the affected floodplain and wetlands, the EPA Regional Administrator may waive the service area restriction in individual cases; and

c. EPA and the recipient intend that this floodplain and wetlands service area restriction shall benefit any person, organization, or entity possessing an interest in preservation of the natural environment in the 100-year floodplain and wetlands subject to this restriction. Any such beneficiary may seek enforcement of the restriction against the recipient or its successor in a court of competent jurisdiction, if notice of the intent to seek enforcement is first given to the recipient and the EPA Region 6, and neither entity initiates corrective action within 90 days of receiving such notice.

5. Surface Water Resources: Based upon coordination with the Surface Water Quality Bureau of the New Mexico Environment Department and the National Park Service, construction of the

proposed project should not have significant adverse impacts to protected surface water resources since effluent will not be discharged into waters which have been designated as a wild and scenic river. The funding recipient is responsible for continued coordination with the New Mexico Environment Department, and must complete any subsequent permitting process prior to the initiation of actual construction activities.

6. Ground Water Resources: Based upon coordination with the Ground Water Quality Bureau of the New Mexico Environment Department, construction of the proposed project should not have significant adverse impacts to protected ground water resources since the project area is not located over a designated sole source aquifer. The funding recipient is responsible for continued coordination with the New Mexico Environment Department, and must complete any subsequent permitting process prior to the initiation of actual construction activities.

7. Prime and Unique Farmlands: Based upon coordination with the Natural Resource Conservation Service, construction of the proposed project should not have significant adverse impacts to prime or unique farmlands since these protected resources are not known to occur in the project area.

8. Air Quality: Based upon coordination with the Air Quality Bureau of the New Mexico Environment Department, construction of the proposed project should not have significant adverse impacts to air quality since the project is located in an area which is in compliance with the National Ambient Air Quality Standards (NAAQS) for all criteria air pollutants. To further insure compliance with NAAQS standards, all vehicles and motorized equipment used in construction must comply with regulations regarding the control of air pollution from mobile sources. The funding recipient is responsible for continued coordination with the New Mexico Environment Department, and must complete any subsequent permitting process prior to the initiation of actual construction activities.

9. Environmental Justice: The project was reviewed to ensure that construction will be conducted in an appropriate manner so that all persons and populations are served equally by the infrastructure improvements. Based upon the results of an evaluation to rank the potential environmental impacts to local communities using a computer-assisted mathematical formula, including Geographical Information System maps and census demographic data, no persons or populations will be discriminated against or denied the benefits of the proposed project. Since all persons and populations will be served equally by the project, there will be no adverse impacts that are considered disproportionate to any particular portion of the population.

10. Coastal and Barrier Resources: Since the entire state is inland and not adjacent to any coastal location, construction of the proposed project should not have significant adverse impacts to coastal and barrier resources.

11. Cumulative Impacts: Potential cumulative impacts would be those impacts to the local environment that would result from the proposed project in combination with other ongoing actions, and those reasonably foreseeable future actions. No other major construction activity is being conducted presently or planned for the immediate future. The proposed project will not

individually nor cumulatively over time have a negative impact on the quality of the human or natural environment. To the contrary, improved infrastructure will have a positive environmental effect by enhancing public health and protecting the natural environment from continued contamination and degradation.

### **DOCUMENTATION, COORDINATION, AND PUBLIC PARTICIPATION**

A public hearing for the proposed project was held on December 19, 2006, at the Village of Los Lunas Council Chambers located at 660 Main Street. The purpose of the meeting was to inform the public of the proposed project, to identify any concerns, and to request public participation in the development of the project. The project is supported by the community, and no adverse public comments were received.

During the process of conducting the environmental review and preparing this Environmental Assessment for the project, coordination has been conducted with all required resource protection agencies and offices to solicit and incorporate their initial review and comments. Copies of this Environmental Assessment will be provided to those agencies and offices for their final review and comments. Other interested parties may request a copy of the Environmental Assessment in writing from the EPA, Office of Planning and Coordination (6EN-XP), 1445 Ross Avenue, Dallas, Texas 75202-2733.

#### References

1. Environmental Information Document, Installation of a New Wastewater Interceptor System, Village of Los Lunas, November 2006.
2. Preliminary Engineering Report, Village of Los Lunas, November 2006.

### **RECOMMENDATION**

Based upon completion of this Environmental Assessment, and a detailed review of the Environmental Information Document for the project, it has been determined that construction activities are considered to be environmentally sound. Therefore, it is recommended that a Finding of No Significant Impact be issued for this project.